

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ROBERT WASHNIESKI,

Plaintiff,

v.

Case No. 07-CV-598

MICHAEL ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

On June 29, 2007, Plaintiff Robert Washnieski ("Washnieski") filed for judicial review of the final decision of the Commissioner of Social Security denying his application for disability insurance benefits, pursuant to 42 U.S.C. § 405(g). On August 22, 2008, this court affirmed, in part, and vacated and remanded, in part, the decision of the Administrative Law Judge denying Washnieski's application for benefits. Washnieski then filed a motion for attorney's fees under the Equal Access to Justice Act (EAJA). See 28 U.S.C. § 2412. This motion is now before the court.

In response to Washnieski's EAJA motion for fees, the defendant filed a letter with the court stating that he does not oppose the plaintiff's motion for attorneys' fees. The letter also indicates that the defendant does not contest the amount of the claimed fees. Therefore, the court grants Washnieski's unopposed motion for attorney's fees in the amount of \$6,873.75.¹

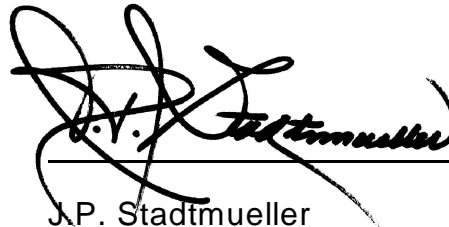
¹The defendant's letter states that he "does not oppose the Plaintiff's motion for attorney's fees in the amount of \$6,873.25." However, the court believes this number includes a minor typographical error and will grant attorney's fees in the amount of \$6,873.75, the amount requested in the plaintiff's motion.

Accordingly,

IT IS ORDERED that the plaintiff's motion for attorney's fees under the EAJA (Docket #19) be and the same is hereby **GRANTED**; the defendant shall pay the plaintiff's attorney's fees in the amount of \$6,873.75, payable directly to plaintiff's counsel pursuant to the plaintiff's Assignment of EAJA Fee Agreement.

Dated at Milwaukee, Wisconsin, this 31st day of December, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge